

**PURPOSE**

All written and signed court orders must be accepted by the local Department of Health and Human Services (MDHHS) office. If the court order and/or documents appear to conflict with MDHHS policy, see Actions for Problematic Court Orders for procedures in this item.

The department assumes legal and service responsibility for a youth on the date the court order for referral or commitment is signed by the judge/referee.

**PROCEDURE**

Each local office has been delegated the responsibility and authority to handle the official acceptance of these orders. Since this task occurs prior to assignment of the case responsibility to a juvenile justice specialist, it is a supervisory or administrative responsibility.

**MDHHS  
ACCEPTANCE DATE**

For information on the date of acceptance, see [FOM 902, Funding Determinations and Title IV-E Eligibility](#).

The date of acceptance must be confirmed by the local office by sending a DHS-3204, Youth Acceptance Notice, to the referring/committing court; and by sending a DHS-4526, Parent/Guardian Notification of Acceptance, to the parent/guardian. Forms are found in MiSACWIS Court, Court Actions History, select report and generate the appropriate form.

**COURT  
RESPONSIBILITY**

- Having the youth available.
- Forward to the local office complete and accurate documents which include:
  - Original or true copy of the petition.
  - Original or true copy of the order referring/committing the youth to the department.

- Social and psychological data that the court has available. This includes all information available regarding any rehabilitative efforts the court has attempted to provide the youth.
- Report of medical examination done not more than 30 days prior to commitment, or at the time of the most recent admission to detention (only for youth committed under Act 150).
- Birth certificate/verification.
- Social Security number.
- Police report.
- Current photograph of youth taken within one year.
- Detailed victim information: name, address, telephone number, date of birth.
- Indication that the victim requested/did not request information/notification.

## LEGAL JURISDICTION

### ***Proper Wording of the Court Order When the Court Commits or Refers a Youth to MDHHS***

For information on wording of the court order when the court commits or refers a youth to MDHHS refer to [FOM 902, Funding Determinations and Title IV-E Eligibility](#) and [FOM 901-6, Legal Status](#).

## REFERRAL TO CHILD SUPPORT

For information regarding referrals to child support, see [FOM 722-1, Foster Care - Entry into Foster Care, Referrals to Child Support](#).

## Friend of Court Notification

The juvenile justice specialist must notify the Friend of the Court in the following circumstances:

- When the funding source changes - to ensure the money is sent to the appropriate place unless court ordered to continue.
- When the child is returned home - to ensure that the current custodian receives the money, instead of the state/county. See [FOM 902-12, Government and Other Benefits](#), for more information on the DHS-3205, Foster Care/Juvenile Justice Benefit Eligibility Record.

## TITLE IV-E

For information related to Title IV-E, refer to [FOM 902, Funding Determinations and Title IV-E Eligibility](#).

## ACTIONS FOR PROBLEMATIC COURT ORDERS

The MDHHS local office must take **immediate** action, as any appeal of an order must be filed with the court within 20 calendar days of receipt of the order. The supervising agency must forward copies of problematic court orders to the MDHHS Children's Services Legal Division (CSLD) at [CSARequestsforLegalResearch@michigan.gov](mailto:CSARequestsforLegalResearch@michigan.gov), immediately, but no later than the business day following receipt of the order. A written description of the problematic issue and reference to applicable policy and law is required in the email.

If the local office is also requesting legal representation, the problematic court order and appropriate form requesting legal representation must be sent to the MDHHS CSLD at [CSARequestforRepresentation@michigan.gov](mailto:CSARequestforRepresentation@michigan.gov).

## LEGAL BASE

### State

**The Probate Code, 1939 PA 288, as amended, MCL 712A.1 et seq.** Contains the juvenile code and requires that each child coming within the jurisdiction of the court must receive care, guidance, and control in the best interest of the child;

MCL 712A.2(a)(1) provides that the family division of circuit court has exclusive jurisdiction over children under 17 years old found in the county except those 14 to 16 years old who have been charged with a specified offense under 1931 PA 328, The Michigan Penal Code or 1978 PA 368, Public Health

Code, and for whom the prosecutor elects to authorize a complaint and warrant. The family division of circuit courts have jurisdiction over children 14 to 16 years old who have been charged with specified offenses and the prosecutor files a petitions in the family division of circuit court.

MCL 712A.2(d) provides that the family division of circuit court has authority and jurisdiction over youth between the ages of 17 and 18 found to have been repeatedly addicted to drugs or alcohol, repeatedly associating with criminals, found in a house of prostitution, repeatedly associating with thieves, prostitutes, pimps, or procurers or willfully disobedient to the reasonable commands of a parent or legal guardian.

MCL 712A.2a(5) provides for the court to extend jurisdiction for a period of 2 years unless the youth is released sooner by court order if jurisdiction was taken for having committed a specified offense.

**The Social Welfare Act, 1939 PA 280, as amended, MCL 400.55(h).**

Provides authority to investigate and provide supervision to matters pertaining to dependent, neglected, and delinquent children and wayward minors under the court's jurisdiction, to provide supervision and foster care as provided by court order.

**The Youth Rehabilitation Services Act, 1974 PA 150, as amended, MCL 803.301 et seq.**

Provides definitions for the acceptance, care, and discharge of youths committed as public wards.

## **POLICY CONTACTS**

Policy clarification questions may be submitted by juvenile justice supervisors and management to [Juvenile-Justice-Policy@michigan.gov](mailto:Juvenile-Justice-Policy@michigan.gov).